

REMARKS

Claims 1-15 are pending in this application. New claims 14 and 15 have been added.

Specification

Minor changes have been made to the specification to place it in better form for U.S. practice.

Substitute Specification

The above-noted specification changes are set forth in the attached Substitute Specification. The Substitute Specification does not contain new matter.

A Comparison Specification showing the matter being added to and deleted from the original specification is also submitted herewith.

The Examiner is respectfully requested to approve the Substitute Specification.

Claim Objections

Claims 4-6 and 11 have been objected to as being in improper form.

Claim 4 has been amended to overcome this objection.

The Examiner is respectfully requested to reconsider and withdraw this objection.

Further, claims 4-6 and 11, variously dependent on claim1, are allowable at least for their dependency on claim 1.

Claim Rejections – 35 U.S.C. § 112

Claims 1-13 have been rejected under 35 U.S.C. § 112, second paragraph, because of some informalities.

The rejected claims have been amended to overcome this rejection.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Further, minor changes have been made to the pending claims to place them in better form for U.S. practice.

Claim Rejections – 35 U.S.C. § 102

(a) Claims 1-3, 7, 12, and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Koizumi (USP 4,923,071). This rejection is respectfully traversed.

Koizumi discloses a jib crane having a boom section 12 and main girders 22 and 21 pivotally attached to one end of the boom section 12. The main girder 21 has a cylinder tube 32, a piston rod 31 that freely slides inside the cylinder tube 32, and a girder tube 6 that receives the cylinder tube 32. The cylinder tube 32 has a guide member 34 that engages guide grooves formed in the guide tube 6 (see Fig. 7), such that the cylinder tube 32 rotates with respect to the guide tube 6 as it moves inside the guide tube 6.

Neither the piston rod 31 and the cylinder tube 32 (which corresponds to the “mechanically adjustable telescoping means” of the present invention) nor the guide tube 6 and the cylinder tube 32 (which arguably corresponds to the “mechanically adjustable telescoping means”) is “adapted to limit a length thereof to an adjusted length when the pressure load is being applied between the folding pinnacle and the boom and to allow the length thereof to extend freely when no pressure load is being applied.” Accordingly, Koizumi fails to disclose or suggest the “mechanically adjustable telescoping means” as recited in claim 1.

Claims 2-3, 7, 12, and 13, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 1-3, 7-10, 12, and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Payton (USP 2,147,313). This rejection is respectfully traversed.

Payton discloses a stub mast 30 having a plurality of holes 30 and a gear 33 having a plurality of pin teeth 32 that engages with the holes 30 such that the stub mast 30 can be retracted or extended by rotation of the gear 33. The mast 30 is slidably supported by an angular guide 29.

In Payton, however, the mast 30 in combination with the gear 33 does not “limit a length thereof to an adjusted length when the pressure load is being applied between the folding pinnacle and the boom and to allow the length thereof to extend freely when no pressure load is being applied.” Accordingly, Payton fails to disclose or suggest the “mechanically adjustable telescoping means” as recited in claim 1.

Claims 2-3, 7-10, 12, and 13, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claims 1-3, 10, and 13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Koizumi (USP 5,115,925). This rejection is respectfully traversed.

Koizumi discloses a telescopic boom 1, a jib 2, and an auxiliary connector 3 fixed to a lower surface of the beam 2a of the jib 2. The auxiliary connector 3 (corresponds to the “mechanically adjustable telescoping means”) has a cylindrical housing 32 and a connecting rod 33 axially inserted through the housing 32.

The auxiliary connector 3, however, does not “limit a length thereof to an adjusted length when the pressure load is being applied between the folding pinnacle and the boom and to allow the length thereof to extend freely when no pressure load is being applied.” Accordingly,

Koizumi fails to disclose or suggest the “mechanically adjustable telescoping means” as recited in claim 1.

Claims 2-3, 10, and 13, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(d) Claims 1-3, 7, and 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Bakhtin (SU 619588) and by Wardlaw (USP 3,899,089). This rejection is respectfully traversed.

Bakhtin discloses a telescopic tie 1 that connects two parts 2, 3 of a boom by means of openings 4 and a fixing pin 5.

The telescopic tie 1 in conjunction with the openings 4 and the fixing pin 5 does not “limit a length thereof to an adjusted length when the pressure load is being applied between the folding pinnacle and the boom and to allow the length thereof to extend freely when no pressure load is being applied.” Accordingly, Bakhtin fails to disclose or suggest the “mechanically adjustable telescoping means” as recited in claim 1.

Wardlaw discloses a brace member 176 (corresponds to the “mechanically adjustable telescoping means”) that has a lower tubular member 182 which receives a smaller-in-diameter upper tubular member 184 therein, the upper member 184 having a stop collar 186 thereon. The two telescopic members 182 and 184 have alignable diametrical bores 188 therethrough, for reception of a securing pin 190 that is utilized to fix the telescopic brace member 176 at a chosen length.

In Wardlaw, however, the two telescopic members 182 and 184 in conjunction with the bores 188 and the pin 190 do not does not “limit a length thereof to an adjusted length when the pressure load is being applied between the folding pinnacle and the boom and to allow the length thereof to extend freely when no pressure load is being applied.”

Further, although the stop collar 186 may prevent the member 184 from being retracted inside the member 182 beyond a predetermined shortest length, the stop collar 186 alone cannot adjust the length of the brace member 176 unless the pin 190 is inserted in one of the bores 188. Once the pin 190 is inserted in one of the bores, the member 184 is locked and cannot be extended freely with respect to the member 182. Accordingly, Wardlaw fails to disclose or suggest the “mechanically adjustable telescoping means” as recited in claim 1.

Claims 2-3, 7, and 10, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claims

New claims 14 and 15, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

A favorable determination by the Examiner and allowance of these claims is earnestly solicited.

Conclusion


Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (#40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

for By  (reg. # 40,417)
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Attachments: Substitute Specification - 7 pages
Comparison Specification - 7 pages